

## **REMARKS**

Applicants respectfully request reconsideration of the present application in view of the following Amendments and Remarks in the above-referenced application to advance the prosecution of the instant application. Applicants' appreciate the Examiner's withdraw of previous prior art rejections, *inter alia*, U.S. patent application No. 2002/0099580 A1 to Daryl E. Eicher, Jr., *et al.* The Examiner's present rejection of the claims are directed to claims considered under Sections 102 or 103 in view of Stewart, *et al.* U.S. Patent Application Publication Number 2002/0010741 A1, published on January 24, 2002 (now US Patent No. US 7,051,071 B2 which issued on May 23, 2006) and assertion of certain items considered known in the art, and certain claims as not reciting patentable subject matter under section 101. (In the discussion which follows, all cites to Stewart, *et al.* are to the numbered paragraphs presented in the Stewart, *et al.* published patent application, not to the Stewart, *et al.* patent.) With regard to the network domain gateway structure recitations as discussed herein below, the claimed subject matter of such structure or machine should be considered statutory subject matter under 35 USC 101 as recited in presently pending claim 41, and amended independent claims 1, 17, 38 and 51. Reconsideration of the rejections and allowance of the pending claims is respectfully requested. Applicants respectfully traverse the Examiner's rejections with respect to independent claim 41 and original claims 42, 44-50 depending therefrom as previously presented. Further independent claims 1, 17, 38 and 51 have been amended in accordance with the remarks below; as discussed herein Applicants' claims 1, 17, 38, 41 and 51, and the claims depending therefrom as set forth are presented according to subject matter believed allowable, and which patentably define over the prior art and place the claims in condition for allowance.

Stewart, *et al.* concerns customer access repository components/ plug-ins which may be available for customers to change or add functionality with reference to a protocol plug-in for necessary support, including such things as conversation names, DTDs, business identifiers, and so on, i.e., for customers to change/ access/ filter/ add functionality. The prior art also does not actively participate in actual trading. In accordance with the present claimed inventions, Applicants' supply chain management

system for governing transactions with network execution involves at least two entities in the supply chain. As claimed, Applicants' network domain gateway is in communication with its network execution component, facilitating communication with a partner coordinator component integrated with an existing system of the partner to provide real-time data relevant to the transaction from the existing system of the partner to the network execution component. Applicants' transport component facilitates active processing between the enterprise and the at least one partner as recited. This is distinct from the customer access functionalities, etc. provided by Stewart, et al., Grosvenor et al. or Burr et al.

The Examiner asserts that Stewart et al. [Paragraph 0341] discloses a network execution component operable to administer a transaction involving an enterprise and at least one partner in the supply chain. To the contrary, Stewart merely recites as follows:

[0341] The Message Type System is a polymorphic hierarchy of message types. A message type is an abstraction of information that will be shared by transactors (e.g. ORDER, CUSTOMER, PRODUCT etc.). All message types share some common behavior, such as how the encapsulated information (XML) can be manipulated. Therefore the type system implements basic manipulation capabilities (create, read, update, delete) on the base level. Communication Adapter is a notion that abstracts a wire-protocol, such as HTTP, SOAP etc. When a transactor wants to communicate with somebody over a network connection, it needs to instantiate an appropriate adapter object and then pass it's reference to the message object. The content of the message object then becomes a payload of the network message and the adapter takes care of the communication protocol (headers, exceptions, timeouts etc.). **(Stewart, Emphasis added; concerns message types share some common behavior, generally where message object content becomes a payload of the network message with the adapter taking care of the communication protocol, e.g. headers, exceptions, timeouts etc., NOT network execution for administering entities in transactions involving an enterprise and at least one partner in the supply chain).**

The official action in a number of instances employs use of “old and well known” assertions seemingly relied upon with liberal application. While MPEP 2144.03 provides that an examiner may take such official notice... “however such rejections should be judiciously applied.” Applicants’ merely note that some of the Examiner’s present assertions may be questionable in view of the clear guidelines set forth in the MPEP explaining how “Official Notice” types of rejections are to be handled, and particularly the notices herein should be judiciously applied as discussed below.

Applicants can accept that it is known to merely convert real-time data into a format usable by a network system; however it is neither old nor well known to facilitate the network system as being operable to maintain the context for the transaction, as claimed. Likewise Applicants also can accept that it is known to utilize a network domain gateway structure merely to route information to a user’s IP address. However Stewart completely fails to teach or suggest a network domain gateway in communication with Applicants’ network execution component operable to administer a transaction involving an enterprise and at least one partner in the supply chain for communication with a partner coordinator component integrated with an existing system of the partner to provide real-time data relevant to the transaction from the existing system of the partner to the network execution component, as recited in Applicants’ claims 41, et seq. Applicants’ transport component facilitates active processing between the enterprise and the at least one partner, as claimed, which goes well beyond the teaching of Stewart concerning customer access repository components for message types which share common behavior, e.g. where message objects are payloads such as headers, exceptions, timeouts etc. Applicants’ transport component facilitates active processing with network execution for administering entities in transactions involving an enterprise and at least one partner in the supply chain, the network system as being operable to maintain the context for the transaction, with the network domain gateway in communication with Applicants’ network execution component which are neither made old nor well known merely with conversion of real-time data into a format usable by a network system, or a network domain gateway structure merely to route information to a user’s IP address.

Applicants' network domain gateway structure, as disclosed, relates to a network domain gateway in communication with Applicants' network execution component operable to administer a transaction involving an enterprise and at least one partner in the supply chain for communication with a partner coordinator component integrated with an existing system of the partner to provide real-time data relevant to the transaction from the existing system of the partner to the network execution component. As disclosed at paragraphs [0142] et seq. and FIG. 12 illustrating an implementation of a network domain gateway according to the described embodiments, Applicants provide:

“[0142] Network Domain Gateway

“[0143] FIG. 12 illustrates an implementation of a network domain gateway 114, according to an embodiment of the present invention. The network domain gateway 114 may be part of or implemented in the gateway subsystem 234. The network domain gateway 114 may physically reside in the enterprise domain 16, the network domain 14, or the partner domain 18.

“[0144] The network domain gateway 114 may be responsible for message routing on the network domain 14 side and may be complementary to the partner coordinator component 180. It may have transport functionality to communicate with the partner coordinator component and gateway routing functionality to communicate with the other subsystems of the network domain.

“[0145] As depicted, the network domain gateway includes a transport component 282 and a gateway router component 284. The gateway transport component 282 may be a complement (and functionally equivalent) to the connector transport component 254 in a partner domain 18. It may provide a reliable messaging services component 286 on the network domain 14 side. The gateway transport component 282 may cooperate with the partner coordinator transport component 254 to exchange messages between the respective domains.

“[0146] In one embodiment, at least one partner connection subsystem 228 for each partner domain 18 can be identified with a unique IP address. However, there is

only one IP address exposed by the gateway transport component 282 in the network domain 14.

“[0147] The gateway router component 284 may route messages (in the format of an eXtensible Markup Language (XML) document) between the execution subsystem 238 and the partner connection subsystem 228. The gateway router component 284 may listen on the Java Messaging System (JMS) channel 236 for requests. When it receives a request message, it processes that request and generates the XML message to send to the partner. The message may contain all the routing information (including its own IP address for return messages) and security information as well as the payload. The message may be sent to the transport component 282. The routing information may be provisioned. The logic of gateway router component 284 may be implemented with a gateway routing 288 application or process. The metadata store 290 is an LDAP repository for configuration and policy rules for use by gate routing 288 application. Furthermore, the gateway router component 284 may forward messages received by transport component 282 from partner domains 18 or enterprise domain 16. When the gateway router component 284 receives a message from the transport component 282, it may validate the XML, extract the payload, and route the payload to the appropriate process manager in the execution subsystem 238 by publishing the message as a XML document to the appropriate JMS message channel 236. A message header for each message may specify such things as the enterprise business unit (EBU) or the entity (e.g., company name) and the sourcing or business contract (which basically acts as a filter). A routing table in gateway routing 288 may be defined in the provisioning subsystem 240 with pre-defined filters.” (See, Applicants’ Specification, United States Patent No. Application 2002/0188486 A1 to Gil et al. for “Supply chain management” published December 12, 2002.)

With regard to the network domain gateway itself considered old and well known structure as per the Examiner’s assertion, the claimed subject matter of such structure or machine must be considered statutory subject matter under 35 USC 101 under In Re

Bilski, as recited in presently pending claim 41, and herein in independent claims 1, 17, 38 and 51 as amended.

Accordingly, in view of all of the forgoing reasons stated above, the pending claims are believed to be in condition for allowance.

**Conclusion**

Accordingly, all of the claims are believed to be patentable over the art of record, for the reasons stated above. Dependent claims not separately argued above are allowable because of their dependency upon other allowable claims. Accordingly, early and favorable action is respectfully requested.

Applicant believes that the present application, as amended, is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested. For at least the above reason, reconsideration of this application in view of the above arguments and withdrawal of the rejection are respectfully requested. If the Examiner would like to discuss Applicant's invention prior to issuing an action, the Examiner should feel free to contact the undersigned attorney. In view of the foregoing, Applicant has placed the case in condition for reconsideration and respectfully requests allowance of the pending claims.

Respectfully submitted,

By /perry hoffman/  
Perry Hoffman  
One of the attorneys for Applicants  
Reg. No. 37,150  
Perry Hoffman & Associates, P.C.  
P.O. Box 1649.  
Deerfield, IL 60015  
Tel. (807) 809-4285